

Memo

To: Plan Commission, Village Board

Fr: Trevor Fuller, Planning and Zoning Administrator

Re: ACTION RE: PETITION FROM ANDREA LYNN BURKEL – REQUESTING CONDITIONAL USE PERMIT APPROVAL FOR RESIDENTIAL AND RETAIL TRADE/SERVICE MIXED-USE ON PARCEL AL-1233-1, LOCATED AT 120 E ALLOUEZ AVENUE (formerly Brien’s Barber Shop)

Date: 13 May 2019

A Conditional Use Permit (CUP) has been requested by Andrea Lynn Burkel to allow for a residential and retail trade/service mixed-use in an existing building on parcel AL-1233-1, located at 120 E. Allouez Avenue. The parcel is currently being petitioned to be rezoned Commercial District, which allows for select mixed-uses as a conditional use.

Below is an exterior picture and aerial photograph of the existing building. The buyer intends to leave the building footprint existing; using one side of the building as a residence and the other portion as a dog grooming business. The residential component cannot proceed without being granted a conditional use permit. The buyer is researching whether or not a parking easement exists with the adjoining property to the west, as parking is shared with the neighboring business (Royal Cleaners).



Any future changes to the building footprint will have to go through the Site Plan and Design Review process and be consistent with the zoning requirements for a Commercial District. Interior alterations or a change of commercial use will have to be approved by the Building Inspector to ensure the building is up to date.

Sections 475-19 and 475-58 of the village ordinances require the following standards for granting a Conditional Use Permit.

Section 475-19E(b): Mixed residential and commercial uses.

- (i) *Separate entrances shall be provided for each class of use.*
- (ii) *Off-street parking requirements shall be complied with for each class of use; see Article IV for required spaces. Separate parking areas shall be provided for residential and non-residential uses and shall be clearly defined as such, except if after the Plan Commission reviews and provides a recommendation, and the Village Board deems the uses are compatible to share in parking. In the instance that shared parking is deemed acceptable, the use with the more required spaces shall be applied.*
- (iii) *Accessory structures, including detached garages, shall not be visible from the primary fronting road.*
- (iv) *Front yard and side yard requirements shall conform to the Commercial District standards, but shall not be applied to nonconforming buildings.*
- (v) *The floor area ratio shall not exceed 1.5.*

Section 475-58: Standards.

- A. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;*
- B. The conditional use will not substantially reduce the use and enjoyment of other property in the immediate vicinity for the purposes already permitted and shall not substantially diminish or impair property values within the neighborhood;*
- C. Adequate facilities, access roads, drainage, parking, and any other necessities have been or are being provided;*
- D. Adequate measures have been or will be taken to provide ingress and egress so designated as to minimize traffic congestion in the public streets; and*
- E. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

Staff has reviewed the proposed application and recommends approval, assuming parking needs can be met.

Plan Commission is asked to make a recommendation whether or not to approve a Conditional Use Permit for the proposed mixed-use at 120 E Allouez Avenue. The motion should specify the conditions, if any, of the Conditional Use Permit.

**VILLAGE OF ALLOUEZ
PETITION FOR CONDITIONAL USE**
(\$300 required petition fee)

Please complete this form. In cases where the description of the requested information is too lengthy to include in the space allowed, please include it on a separate sheet with this application.

Name of petitioner: Andrea Burkel Phone: 920-619-0483

Mailing address: 1935 Bunker Hill Ct. De Pere WI 54115

1. The petitioner's interest in the property: Rental

2. The present name shown on the title of the property: Anthony Funk

3. The legal description of the property under consideration (including parcel # and street address):

120 E Allouez Ave. Green Bay WI 54301.
AL-1233-1

4. The size of the property: 82x100 Ft

5. The property is presently zoned as Class: Residential/Commercial

6. The petitioner seeks a conditional use for: Keeping the opposite side as a rental.

7. Describe the proposed use in detail (i.e. the nature of the use, number of employees, and any physical changes required to buildings and existing facilities):

Using as a rental property, which it is used for currently.
No physical changes will be made

8. Attached is a proposed elevation of the structure or an example of the exterior and a certified survey map, a copy of the plat on which the property is shown, or a proposed site plan.

9. The proposed construction schedule for the project (anticipated start and duration): No Construction

10. Other reports and studies, as requested by the village, which are necessary for ensuring that the standards in Section 475-58 are met.

Dated this 5 day of 9, 2019

Andrea Burkel
Petitioner Signature

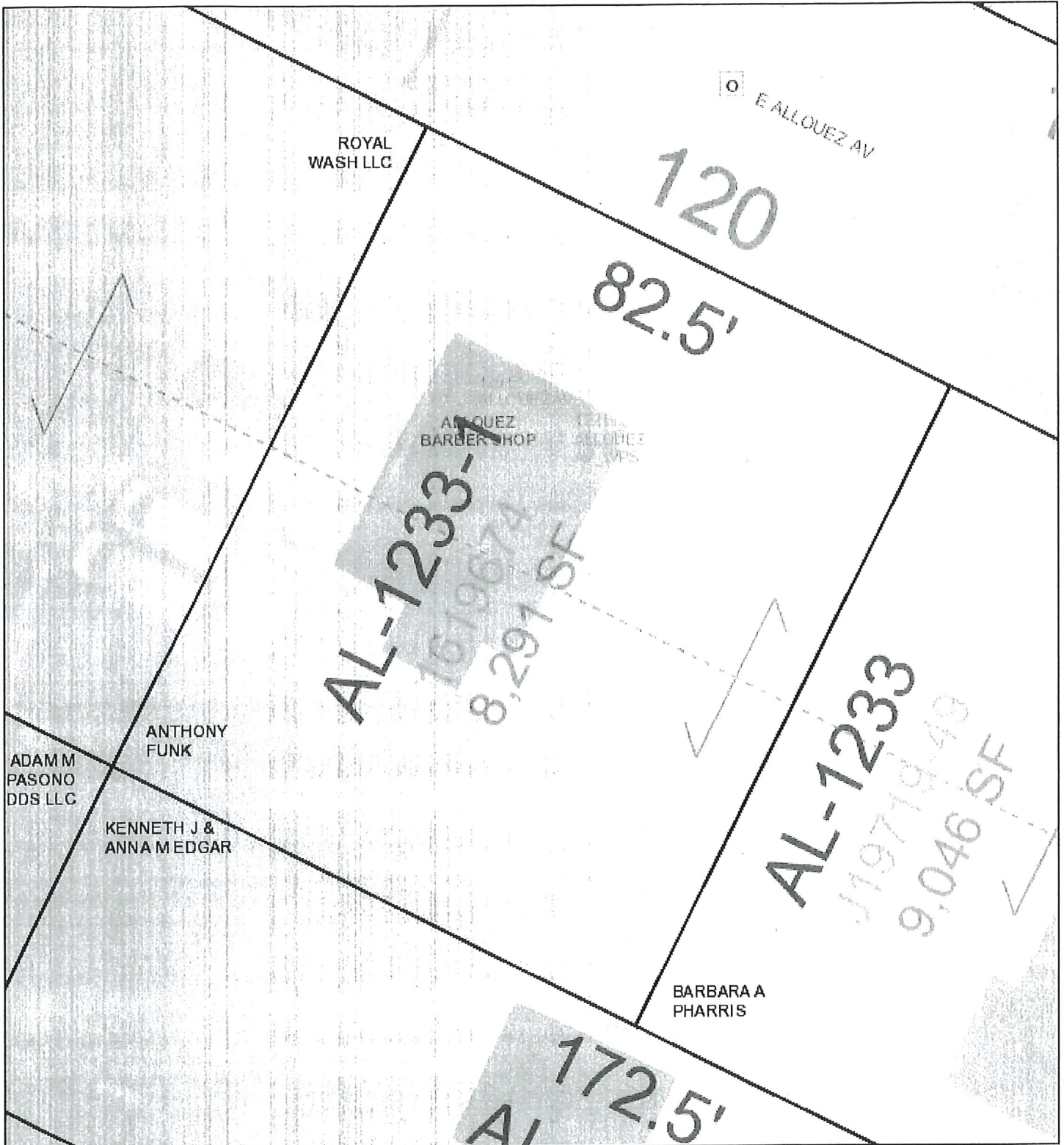
Owner Signature (if different than petitioner)

TO BE COMPLETED BY THE VILLAGE OF ALLOUEZ

Date of Plan Commission _____ Date of Village Board _____ Date of public hearing (if scheduled)

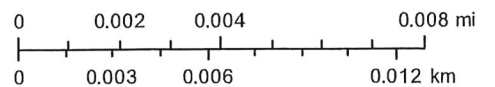
*Conditions and stipulations required by the Village Board (attached)

Part of Brown County WI



5/9/2019, 8:20:15 AM

1:240



Property Tax Record
VILLAGE OF ALLOUEZ
Brown County, Wisconsin
Parcel Number: AL-1233-1

Information is as current as the postings of Tuesday, April 30, 2019 at 7:04:17 PM. Note: Documents received prior to this date may be on hold or pending entry into the land records system.

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<p>Property Information</p> <p>Parcel Number AL-1233-1</p> <p>Owner Name ANTHONY FUNK</p> <p>Property Address 120 E ALLOUEZ AV</p> <p>Municipality AL - VILLAGE OF ALLOUEZ</p> <p>School District 2289 - GREEN BAY SCH DIST</p> <p>Sanitary District None</p> <p>Special District(s) None</p>	<p>Current Unofficial Valuation</p> <table border="1"> <thead> <tr> <th>Land Use Classification</th> <th>Acres</th> <th>Land</th> <th>Improvements</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>B - MERCANTILE</td> <td>0.190</td> <td>49,700.00</td> <td>39,600.00</td> <td>89,300.00</td> </tr> <tr> <td>All Classes</td> <td>0.190</td> <td>49,700.00</td> <td>39,600.00</td> <td>89,300.00</td> </tr> </tbody> </table> <p>Legal Acres 0.190</p> <p>Values are not official until new tax bills are issued in December.</p> <p>Note: For a specific tax year valuation, select tax year from tax records available below.</p> <p>Note: Land Use Class is not a Zoning Classification. If you are looking for Zoning Classification, you will need to contact the municipality.</p> <p>Note: Legal Acres, as listed in the Property's Legal Description, may differ slightly from the Total Acres, or the sum of the acreage for all land classifications.</p>	Land Use Classification	Acres	Land	Improvements	Total	B - MERCANTILE	0.190	49,700.00	39,600.00	89,300.00	All Classes	0.190	49,700.00	39,600.00	89,300.00
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<p>Mailing Address Information</p> <p>ANTHONY FUNK</p> <p>PO BOX 54137</p> <p>KRAKOW WI 54137-0004</p>	<p>Reference Document</p> <p>Document #: 2830740</p>	<p>Available Maps</p> <p>View GIS Map</p> <p>Other Maps</p>
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<p>Tax Records Available</p> <p>Tax Year</p> <ul style="list-style-type: none"> <input type="radio"/> 2015 (Tax Bill Number 1793285) <input type="radio"/> 2016 (Tax Bill Number 1927954) <input type="radio"/> 2017 (Tax Bill Number 1991499) <input checked="" type="radio"/> 2018 (Tax Bill Number 2095807) <p>View Tax Detail</p> <p><i>Tax Detail may take a few moments to appear</i></p>	<p>Tax Legal Description</p> <p>8,291 SQ FT</p> <p>LIBAL'S ADD'N W 82.5 FT OF LOTS 17 & 18 BLK 1</p> <p>Note: May not be a full legal description</p> <p>View Comments/History</p>
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